

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA**
Richmond Division

MARTY HINTON,

**individually and on behalf of all other
similarly situated individuals,**

Plaintiff,

v.

ATLANTIC UNION BANK,

Defendant.

Civil Action No. 3:20-cv-00651-JAG

**DEFENDANT ATLANTIC UNION BANK’S MOTION TO DISMISS
PLAINTIFF’S COMPLAINT FOR FAILURE TO STATE A CLAIM
AND LACK OF SUBJECT MATTER JURISDICTION**

Defendant, Atlantic Union Bank (“Atlantic Union”), by counsel and pursuant to Rules 12(b)(6) and 12(b)(1) of the Federal Rules of Civil Procedure, respectfully requests that the Court dismiss Plaintiff Marty Hinton’s Class Action Complaint for failure to state a claim and lack of subject matter jurisdiction. The reasons in support of this motion are set forth in Atlantic Union’s Brief in Support, filed simultaneously herewith.

Dated: September 9, 2020

Respectfully submitted,

ATLANTIC UNION BANK

/s/ Alan D. Wingfield

Alan D. Wingfield (VSB No. 27489)

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